IN THE CLAIMS

Please amend the claims to read as follows:

Listing of Claims

Claims 1-21 (Cancelled).

22. (Currently Amended) A communication terminal apparatus comprising:

a measuring section that measures the reception quality of a control channel signal transmitted from a base station apparatus;

an obtaining section that obtains from a received signal, transmit power value information comprising information of variable transmit power of the control channel signal and a data channel signal, transmitted from the base station apparatus;

an estimating section that estimates the reception quality of the data channel signal at the communication terminal apparatus based on the reception quality of said control channel signal measured by the measuring section and the transmit power value information obtained by the obtaining section;

a deciding section that decides a modulation system ~~and coding system~~ to be used for the data channel signal from a plurality of modulation systems and a coding system used for the data channel, using the estimated reception quality of the data channel signal; and

a transmitting section that transmits information of the modulation system and coding system decided by the deciding section to the base station apparatus.

23. (Previously Presented) The communication terminal apparatus according to claim 22, further comprising:

a selecting section that selects a target base station apparatus with good estimated reception quality of the data channel signal from among a plurality of base station apparatuses as a request destination of the data channel signal, wherein:

the transmitting section transmits information of the modulation system and coding system used for the data channel signal decided using the estimated reception quality of the data channel signal of the target base station apparatus to the target base station apparatus.

Claims 24-26 (Cancelled).

27. (Currently Amended) A communication method comprising:

a measuring step of measuring at a communication terminal apparatus the reception quality of a control channel signal;

an obtaining step of obtaining from a received signal transmit power value information comprising information of variable transmit power of the control channel signal and a data channel signal, transmitted from a base station apparatus;

an estimating step of estimating at the communication terminal apparatus the reception quality of the data channel signal based on the reception quality of the control channel signal measured in the measuring step and information of variable transmit power values of the control channel signal and the data channel signal at the base station apparatus obtained in the obtaining step;

a deciding step of deciding a modulation system ~~and coding system~~ to be used for the data channel signal from a plurality of modulation systems and a coding system used for the data channel, using the estimated reception quality of the data channel signal at the communication terminal apparatus;

a receiving step of receiving at the base station apparatus information of the decided modulation system and coding system; and

a transmitting step of transmitting at the base station apparatus the data channel signal according to the modulation system and coding system.

28. (New) The communication terminal apparatus according to claim 22, wherein the deciding section decides a modulation system providing signal points of a plurality of amplitudes at a same phase as the modulation system to be used for the data channel.

29. (New) The communication method according to claim 27, wherein the deciding step comprises deciding a modulation system providing signal points of a plurality of amplitudes at a same phase as the modulation system to be used for the data channel.